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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PATENT** 

Applicant(s):

Kenneth V. Buer

Docket No.:

36956.0700

Serial No.:

09/810,995

Group Art Unit:

2684

Filed:

March 16, 2001

Examiner:

Nick Corsaro

Title:

SYSTEM AND METHOD FOR UPLINK POWER CONTROL

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop ISSUE FEE
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

## Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R., §§1.97 and 1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO/SB/08A. Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO/SB/08A and return a copy thereof to the undersigned.

The items listed on Form PTO/SB/08A may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute any of the listed documents as prior art during examination. Further, Applicants do not waive any right to take any action that would be

Serial No.: 09/810,995 Docket No.: 36956.0700

appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

search	n has b	een made or that no other material information may exist.					
1. [ ]	For each of the following items listed on the enclosed copy of Form PTO/SB/08A that is not in the English language, an English language translation of that item o a portion thereof or a concise explanation of the relevance of that item is enclosed:						
2. [ ]	Any copy of the items listed on the enclosed copy of Form PTO/SB/08A that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior [ ] Parent Application, [ ] Continuation, [ ] Divisional or [ ] Continuation-In-Part application under 37 C.F.R. §1.97, U.S. Serial No, filed						
3. [ ]		e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with:					
	[]	37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.					
	[]	37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.					
	[]	37 C.F.R. $\S 1.97(b)(3)$ , before the mailing date of a first Office action on the merits.					
4. [ ]	No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statemes since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 3 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set for in paragraph 8 below.						
5. [ ]	since specif	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(c), after the period ied in paragraph 3 above but before the mailing date of a final action or a of allowance (where there has been no prior final action):					
	[]	A check in the amount of \$180.00 is enclosed in payment of the fee.					
	[]	Charge the fee to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.					

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Serial No.: 09/810,995 Docket No.: 36956.0700

6. [X] A fee is due for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee. and is accompanied by:

- a. [X] one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below; and
- B. [X] the fee due under 37 C.F.R. §1.97(p) which is paid as set forth in paragraph 9 below.
- 7. [ ] A fee is due under 37 C.F.R. §1.97(d) for this Information Disclosure Statement:
- 8. [ ] I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
  - [X] I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- 9. [X] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(p).
  - [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
  - [ ] A copy of the non U.S. patent item has been attached in accordance with 37 C.F.R. §1.98.

Respectfully submitted,

Snell & Wilmer

Dated: April 18, 2005

John H. Platt

Registration No. 47,863

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Substitute for form 1449/PTO

Sheet 1

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known						
Application Number	09/810,995					
Filing Date	March 16, 2001					
First Named Inventor	Kenneth V. Buer					
Art Unit	2684					
Examiner Name	Corsaro, Nick					
Attorney Docket Number	36056 0700					

Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant		
	NO.	Number-Kind Code <sup>2 (if known)</sup>	WIVI-DD-1111	Applicant of Cited Document	Figures Appear		
		<sup>US-</sup> 4,578,633	03-25-1986	Aoki			
		<sup>US-</sup> 6,298,244B1	10-02-2001	Boesch et al.			
		<sup>US-</sup> 5,426,395	06-20-1995	Cygan			
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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code <sup>3 -</sup> Number <sup>4 -</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	<u> </u>	Or Relevant Figures Appear	T
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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